

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Wind Turbine Industries Corp.,

Plaintiff,

v.

ORDER

Civil No. 09-36 (MJD/SRN)

Jacobs Wind Electric Company, Inc.,

Defendant.

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William D. Schultz and John A. Clifford, Merchant & Gould, Counsel for Plaintiff.

Jon Erik Kingstad, Counsel for Defendant.

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A court may appoint a special master pursuant to Federal Rule of Civil Procedure 53 if circumstances warrant. The Court, believing the issues in this action are of a complicated nature, finds that it is appropriate to appoint a special master for settlement purposes in this matter.

Accordingly, **IT IS ORDERED** that:

Hon. James M. Rosenbaum (ret.) is appointed special master pursuant to Federal Rule of Civil Procedure 53 in this matter, Civil No.09-cv-36, Wind Turbine Industries Corp. v. Jacobs Wind Electric Company, Inc.

a. The special mater is empowered to call such meetings of the parties

as deemed necessary to promote meaningful settlement discussions.

- b. Parties shall contact Hon. James M. Rosenbaum as soon as possible.

Hon. James M. Rosenbaum  
JAMS  
333 S. Seventh St.  
Ste. 2550  
Minneapolis, MN 55402-2470  
Phone: 612-332-8225, Fax 612-332-9887  
e-mail: jrosenbaum@jamsadr.com

- c. The special master shall be compensated at the rate of \$800.00 per hour. Compensation of the special master shall be apportioned as follows: 50% shall be paid by Plaintiff and 50% shall be paid by Defendant.

Dated: March 18, 2011

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court